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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/757,489

01/15/2004

Haim Perski

453/04890

4154

44909

7590

11/16/2006

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EXAMINER

PATEL, NITIN

ART UNIT

PAPER NUMBER

2629

DATE MAILED: 11/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/757,489	<b>Applicant(s)</b> PERSKI ET AL.	
	<b>Examiner</b> Nitin Patel	<b>Art Unit</b> 2673	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) 20-49 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 9-11, 15, 16, 18 and 19 is/are rejected.
- 7) ☐ Claim(s) 7, 8, 12-14 and 17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>5/14/04</u> | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-6,9-11,15,16,18,19 are rejected under 35 U.S.C. 102(e) as being anticipated by Perski et al., (US 20030098858 A1).

As per claim 1, Perski shows a detector for providing position detection of a first kind together with position detection of a second kind the detector comprising: a sensor (in fig.1 element 12), a patterned arrangement of sensing conductors extending within said sensor (In fig.1 x and y axis), and detection circuitry associated with said arrangement for detecting signals at same sensing conductors arising from said position detection of a first kind and signals arising from said position detection of a second kind, therefrom to detect positions at said sensor(In fig.8 and section 0123-0125).

As per claims 2,15 Perski shows said position detection of a first kind comprises resonance-based object detection of an object able to produce an electromagnetic resonant field (in section 0121).

As per claims 3,16 Perski teaches position detection of a first kind comprises capacitive-based touch detection (section 0109).

As per claim 4, Perski shows position detection of a first kind comprises resonance-based object detection of an object able to produce an electromagnetic resonant field and said position detection of a second kind comprises capacitive-based touch detection (section 0109).

As per claims 5-9 Perski discloses the detection circuitry is capable of detecting interactions of said first kind and said interactions of said second kind simultaneously and sensor is substantially transparent and suitable for location over a display screen (in fig.8).

As per claim 10,11 Perski teaches detection region is the surface of a display screen and wherein said sensor including said at least one conductive element is substantially transparent and a plurality of conductive elements and wherein said detection circuitry comprises a differential detector arrangement associated with said sensing conductors for detecting differences between outputs of said conductors (in fig.8).

As per claims 18,19 Perski shows sensor is configured with a transparent medium between itself and an underlying displays screen and the transparent medium comprises an air gap (In section 0114).

As per claims 21,22 Perski shows detection circuit having a differential detector associated with sensing conductive element induced by a touch of a conductive object subjected to transmitted signal

***Allowable Subject Matter***

3. Claims 7,8,12,13,14,17,20,24,25,26,27,28,29,35,36,37,40,41,42,43,44 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art fails to teach or suggest sensor is located over a detection region, and comprises an oscillator for providing an oscillating signal, excitation circuitry for providing an excitation signal capable of exciting a resonant circuit of an electromagnetic stylus-type object, wherein said patterned arrangement comprises conductive elements extending over said detection region, and wherein said detection circuitry is adapted for detecting the capacitive effect of a conductive object, such as finger touch, and resonance from said electromagnetic stylus-type object at said at least one conductive element as claimed in claim 7.

***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nitin Patel whose telephone number is 571-272-7677. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin H. Shalwala can be reached on 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2629

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NP

A handwritten signature in black ink, appearing to read "Nishi Patel". The signature is written in a cursive, flowing style.

September 18, 2006